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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,173	08/06/2001	Jerry D. Noble	4043-00200	1035

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EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 10/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

because there is no relative motion. See Steinmetz; Theory and Calculations of the Electrical Apparatus, New York, 1917, pp. 450-455.

4. Claims 1-22 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a credible asserted utility or a well established utility.

The generator described in specification and shown in Figures 1-5 does not work as claimed because the slip rings (14 and 16) and the crossover (22) are rotating with the magnet (10). Even if the magnet (10) revolves, the magnetic field is stationary at any point of space outside the magnet. The brushes (26, 28) are stationary with the magnetic field. As a result, there is no current generated because there is no relative motion. See Steinmetz; Theory and Calculations of the Electrical Apparatus, New York, 1917, pp. 450-455.

Claims 1-22 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a credible asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 5, it is not clear what is claimed in the claim.

Claim Rejections - 35 USC § 102

Office Action Summary

Application No.

09/924,173

Applicant(s)

NOBLE, JERRY D.

Examiner

Dang D Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "greater thickness" in claim 18 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-22 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The generator described in specification and shown in Figures 1-5 does not work as claimed because the slip rings (14 and 16) and the crossover (22) are rotating with the magnet (10). Even if the magnet (10) revolves, the magnetic field is stationary at any point of space outside the magnet. The brushes (26, 28) are stationary with the magnetic field. As a result, there is no current generated

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakamura et al.

Regarding claim 1, Nakamura et al. show an electrical power generator comprising:

- A generally disc-shaped permanent magnet having one magnetic pole (driving magnetic pole) near its center and a second magnetic pole (detecting magnetic pole) near its circumference.

9. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan.

Regarding claim 1, Kaplan shows an electrical power generator comprising:

- A generally disc-shaped permanent (Figure 23) having one magnetic pole (S) near its center and a second magnetic pole (N) near its circumference.

10. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Gale (GB 2,223,628).

Regarding claim 1, Gale shows an electrical power generator comprising:

- A generally disc-shaped permanent magnet having one magnetic pole near its center (S) and a second magnetic pole (N) near its circumference.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gale in view of Gruber.

Regarding claim 2, Gale shows all of the limitations of the claimed inventions including two generally flat sides except for:

- A first slip ring on a first side of said magnet,
- A second slip ring on a second side of said magnet, and
- A first crossover electrically coupling said first slip ring and said second slip ring.

Gruber shows a first slip ring (31) on a first side of said magnet and a second slip ring (33) and a first crossover (32) electrically coupling said first slip ring and said second slip ring for the purpose of making a generator.

Since Gale and Gruber are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to mount a first slip ring on a first side with a second slip ring on the second and a crossover to connect the slip rings as taught by Gruber for the purpose discussed above.

Regarding claim 3, it is noted that Gruber also shows said first slip ring, said second slip ring, and said crossover being formed from sheet metal and are carried on said magnet.

Regarding claim 4, it is noted that Gruber also shows said crossover being carried on the outer circumference of said magnet.

Regarding claim 5, it is noted that Gruber also shows said magnet comprising an electrically conductive material, said first slip ring and said second slip ring being selected areas on the surface of said magnet, and said crossover comprising said magnet.

Regarding claim 6, it is noted that Gruber also shows a first lead wire (38) coupled to said first slip ring, and a second lead wire (39) coupled to said second slip ring.

Regarding claim 7, it is noted that Gruber also shows a first sliding contact coupled to said first lead wire and in sliding contact with said first slip ring, and a second sliding contact coupled to said second lead wire and in sliding contact with said second slip ring.

Regarding claim 8, it is noted that Gruber also shows said sliding contacts comprising graphite brushes (26, 27).

Regarding claims 9-18, the claims are also rejected because it would have been obvious at the time the invention was made to a person having ordinary skill in the art to arrange or add more components in the cited references.

13. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gale in view of Satake et al.

Regarding claim 19, Gale shows an electrical generator comprising:

- A rotatable shaft (16), and
- A generally disc shaped permanent magnets each having one magnetic pole near its center and a second magnetic pole near its circumference and mechanically carried by said rotatable shaft.

Gale does not show a plurality of permanent magnets carried by the shaft.

Satake et al. show the shaft carrying a plurality of rotor components for the purpose of increasing output power.

Since Gale and Satake et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to mount a plurality of generally disc shaped permanent magnets on the shaft as taught by Satake et al. for the purpose discussed above.

14. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gale in view of Satake et al. as applied to claim 19 above, and further in view of Gruber.

Regarding claim 20, the generator of Gale modified by Satake includes all of the limitations of the claimed invention including each two generally flat circular sides except for a plurality of first slip rings, each on a first side of one of said magnets, a plurality of second slip rings, each on a second side of one of said magnets, and a

plurality of crossovers electrically coupling said first slip ring and said second slip ring on each of said magnets.

Gruber uses the slip rings and the crossover for the purpose of making a generator.

Since Gale, Satake et al. and Gruber are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the slip rings and crossover as taught by Gruber for the purpose discussed above.

Regarding claims 21 and 22, it is noted that the claims are also rejected because it would have been obvious at the time the invention was made to a person having ordinary skill in the art to arrange the components.

Information on How to Contact USPTO

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
October 9, 2002

JL

Sang Le